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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/552,077

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Jeroom Frans Marie Leurs

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

WILLIAMS, AARON

ART UNIT

PAPER NUMBER

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/552,077	<b>Applicant(s)</b> LEURS, JEROOM FRANS MARIE	
	<b>Examiner</b> Aaron Williams	<b>Art Unit</b> 2889	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

Receipt is acknowledged of applicant's amendment filed 5/12/2008. Claims 1 - 10 are pending and action on the merits is as follows.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 -10 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US Patent Grant Publication 2002/0097194 to Uchida et al., herein refer to Uchida.

Regarding claim 1 Uchida discloses in figures 1 - 3, **a two-sided light emitting device** (100, electronic apparatus) **comprising a first light emitting device** (10, organic EL Panel refer to paragraph [0048]) **having a first light emitting surface, a second light emitting device** (20, liquid crystal panel to paragraph [0057]) **having a second light emitting surface, a first substrate** (refer to paragraph [0056]) **on which said first light emitting device is formed, said first substrate being light-transmissive for light emitted by the first light emitting device** (refer to paragraphs [0049], [0052], [0056]), **a second substrate on which said second light emitting device is formed, said second substrate being light-transmissive for light emitted by the second light emitting device** (refer to paragraph [0057]) **and fastening means**

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**fastening the first substrate to the second substrate wherein the first and second substrate are arranged parallel and spaced to one another** (shown in figures 1 and 2), **the first light emitting device is, with the first light emitting surface facing the first substrate, provided on a side of the first substrate facing the second substrate providing the two- sided light emitting device with a first light emission side and the second light emitting device is, with the second light emitting surface facing the second substrate, provided on a side of the second substrate facing the first substrate providing the two-sided light emitting device with a second light emission side opposite the first.** Refer to paragraphs [0048] – [0059] for full description of prior art.

Regarding Claim 2 Uchida discloses in figures 1 - 3, **a two-sided light emitting device as claimed in claim 1 wherein at least the first or second light emitting device is an organic, low molecular or polymer, electroluminescent device.** Refer to paragraphs [0055], [0057] and [0059] where it is stated that both sides of Uchida's device that meet the limitations of this claim.

Regarding Claim 3 Uchida discloses in figures 1 - 3, **a two-sided light emitting device as claimed in claim 1 wherein the fastening means is a perimeter seal providing, in co-operation with the first and second substrate, a closed housing for the first and second light emitting device.** Refer to paragraph [0056] details of

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sealant of an epoxy resin and figures 1 and 2 show how the two substrate is held together.

Regarding Claim 4 Uchida discloses in figures 1 - 3, **a two-sided light emitting device as claimed in claim 3 wherein the perimeter seal** (refer to paragraph [0056]) **is formed of organic adhesive material** (epoxy thermosetting resin or a UV setting resin) **and, optionally, comprises a getter for gettering oxygen and/or water arranged within the closed housing.** The getter is not necessary as the limitation is optional.

Regarding Claim 5 Uchida discloses in figures 1 - 3, **a two-sided light emitting device as claimed in claim 1 wherein the first and/or second substrate comprises a sheet of glass or, in combination with one or more barrier layers impervious to water and/or oxygen, synthetic resin.** Refer to paragraph [0056].

Regarding Claim 6 Uchida discloses in figures 1 - 3, **a two-sided light emitting device as claimed in claim 1 wherein the first and/or second substrate is an integral part of the first and/or the second light emitting device respectively.** Refer to figures 1 and 2 showing how the two substrates are held together.

Regarding Claim 7 Uchida discloses in figures 1 - 3, **a two-sided light emitting device as claimed in claim 1 wherein at least the first or the second light emitting**

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**device is a display device.** Refer to paragraph [0048] where (10) is explained to be a full color display.

Regarding Claim 8 Uchida discloses in figures 1 - 3, **a two-sided light emitting device as claimed in claim 7, wherein the first light emitting device is a stand-by display and the second light emitting device is a display-on-demand display.**

Refer to paragraph [0093] where the use of each side of the device is discussed. The Examiner notes that the limitation in claim 8, “wherein the first light emitting device is a stand-by display and the second light emitting device is a display-on-demand display” is an intended use type limitation. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention over the prior art. If the prior art structure is capable of performing the intended use then it meets the claim. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

Regarding Claim 9 Uchida discloses in figures 1 - 3, **a mobile phone having a two-sided light emitting device as claimed in claim 1.** Refer to paragraph [0011] where Uchida’s mobile electronic apparatus is disclosed to be a mobile phone.

Regarding Claim 10 Uchida discloses in figures 1 - 3, **a two-sided light emitting device as claimed claim 1 wherein at least the first or the second light emitting**

**device is a lighting device.** It is inherent property of an EL display to be a lighting device.

### ***Response to Arguments***

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Further the Examiner notes that Uchida clearly states in paragraphs [0048] and [0057] that the EL (10) is formed on a low temperature polysilicon TFT substrate and the LCD (20) is laminated on the opposing substrate. Further in paragraph [0059] Uchida further discloses that (20) can be organic EL elements.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Williams whose telephone number is (571) 270-5279. The examiner can normally be reached on Monday thru Friday 7:00 to 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Toan Ton can be reached on (571)272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron Williams/  
Examiner, Art Unit 2889

/Karabi Guharay/  
Primary Examiner, Art Unit 2889



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